



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Martin Behr et al.

CASE NO: 26090-047

SERIAL NO: 10/698,365

GROUP ART UNIT: Unknown

FILED: November 3, 2003

EXAMINER: Unknown

FOR: Object Analysis Apparatus

**TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT BEFORE MAILING DATE OF A FIRST  
OFFICE ACTION**

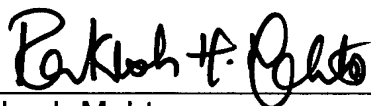
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

The Supplemental Information Disclosure Statement transmitted herewith is being filed before the mailing date of the earliest occurrence of a first Office Action on the merits. Therefore, Applicants believe that no fee is due in accordance with the filing of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 501447 (Potter Anderson & Corroon LLP).

Respectfully submitted,

By: 

Rakesh Mehta  
Attorney for Applicants  
Reg. No.: 50,224  
Telephone: (302) 984-6089  
Facsimile: (302) 658-1192

Date: August 27, 2007



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Listed on accompanying Forms PTO/SB/08 A&B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The Examiner is requested to consider and to make record herein of all the references cited by or to the Office in connection with the listed applications. Applicants have included all of the references.

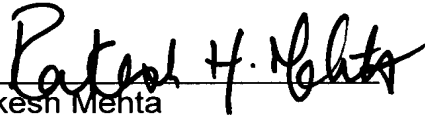
Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Forms PTO/SB/08 A&B, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 501447 (Potter Anderson & Corroon LLP).

Respectfully submitted,

By: 

Rakesh Menta

Attorney for Applicants

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Telephone: (302) 984-6089

Facsimile: (302) 658-1192

Dated: August 27, 2007



PTO/SB/08A (04-07)

Approved for use through 09/30/2007. OMB 0651-0031  
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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

### Complete if Known

Application Number	10/698,365
Filing Date	November 3, 2003
First Named Inventor	BEHR, Martin
Art Unit	3624
Examiner Name	Unknown
Attorney Docket Number	26090-047

Sheet 1 of 3

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 4,227,211	10/07/1980	Disbrow	
	2	US- 4,324,367	11/25/1986	Shafer et al.	
	3	US- 4,741,042	04/26/1988	Throop et al.	
	4	US- 4,887,155	12/12/1989	Massen	
	5	US- 4,946,046	08/07/1990	Affleck et al.	
	6	US- 4,963,035	10/16/1990	McCarthy et al.	
	7	US- 5,132,538	07/21/1992	Norris	
	8	US- 5,253,765	10/19/1993	Moorehead et al.	
	9	US- 5,257,182	10/26/1993	Luck et al.	
	10	US- 5,321,491	06/14/1991	Summers et al.	
	11	US- 5,392,359	02/21/1995	Futamura et al.	
	12	US- 5,470,175	11/28/1995	Jensen et al.	
	13	US- 5,526,437	06/11/1996	West	
	14	US- 5,655,028	08/05/1997	Soll et al.	
	15	US- 5,661,820	08/26/1997	Kegelmeyer, Jr.	
	16	US- 5,732,147	03/24/1998	Tao	
	17	US- 5,761,070	06/02/1998	Connors et al.	
	18	US- 5,764,792	06/09/1998	Kennealy	
	19	US- 5,764,819	06/09/1998	Orr et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	1	JP 2003 307496A (abstract)	10/31/2003	SAKAE, Kobayashi		
	2	DE 198 01 400 (abstract)	07/29/1999	PERNER, Petra, Dr.		
	3	DE 196 10 849 (abstract)	10/16/1997	HOEHFELD, Markus		
	4	EP 0 226 430 A2	09/12/1986	FARAH et al.		
	5	WO 01/69403	03/09/2001	HALL et al.		

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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Application Number	10/698,365
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First Named Inventor	BEHR, Martin
Art Unit	3624
Examiner Name	Unknown
Attorney Docket Number	26090-047

Sheet **2** of **3****U. S. PATENT DOCUMENTS**

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		Number-Kind Code <sup>2</sup> (if known)			
	20	US- 5,841,883	11/24/1998	Kono et al.	
	21	US- 5,845,002	12/01/1998	Heck et al.	
	22	US- 5,850,470	12/15/1998	Kung et al.	
	23	US- 5,864,984	02/02/1999	McNertney	
	24	US- 5,933,524	08/03/1999	Schuster et al.	
	25	US- 6,005,959	12/21/1999	Mohan et al.	
	26	US- 6,009,186	12/28/1999	Goretta et al.	
	27	US- 6,014,451	01/11/2000	Berry et al.	
	28	US- 6,236,739	05/22/2001	Conrad	
	29	US- 6,771,836	08/03/2004	Lawton	
	30	US- 6,819,790	11/16/2004	Suzuki et al.	
	31	US- 6,937,744	08/30/2005	Toyama	
	32	US- 5,933,519	08/03/1999	Lee et al.	
		US-			
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**FOREIGN PATENT DOCUMENTS**

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10698365
Filing Date	2003-11-03
First Named Inventor	BEHR, Martin
Art Unit	3624
Examiner Name	Unknown
Attorney Docket Number	26090-047

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**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1	BOSER, B.E., GUYON, I.M. and VAPNIK, V.N. (1992) A training algorithm for optimal margin classifiers. Proceedings of the Annual ACMWorkshop on Computational Learning Theory, New York, NY, pp. 144-152	<input type="checkbox"/>
	2	ImageProPlus Online, Jul. 10, 2001, Mediacybernetics XP-002236715	<input type="checkbox"/>
	3	LAWSON, D., HALE, R. and WILLIAMS, B. (1987) Brain stetson: a tool for the design and test of neural newtork simulations. Proceedings of the Southeast Conference, Tampa, Fl. pp. 530-534	<input type="checkbox"/>
	4	LEE, J.S., HWANG, J., DAVIS, D.T. and NELSON, A.C. (1991) Integration of neural networks and decision tree classifiers for automated cytology screening. Proceedings of the International Joint Conference on Neural Networks, vol. 1, Seattle, WA, pp. 257-262.	<input type="checkbox"/>
	5	NeuralWare.com "NeuralWare Products, NeuralWorks Predict" Jul. 19, 2001 (website - www.neuralware.com)	<input type="checkbox"/>
	6	REFENES, A.N., Jain, N. and ALSULAIMAN, M.M. (1990) An integrated neural network system for histological image understanding. Proceedings of the SPIE, vol. 1386, Machine Vision Systems Integration in Industry, pp. 62-74	<input type="checkbox"/>
	7	REVENUE, M., ELMOATAZ, A., PORQUET, C. and CARDOT, H. (1993) An automatic System for the classification of cellular categories in cytological images. Proceedings of the SPIE, vol. 2055, Intelligent Robots and Computer Vision XII, pp. 32-43	<input type="checkbox"/>

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